

Procedures for the Designation and Refinement of CBPA Boundaries

Regulations

- 9VAC 10-20-60.1—Requires CBPA Map adopted by local government
- 9VAC 10-2-80.D—Specifies how local governments may develop general maps of CBPA's.
- 9VAC10-20-105—requires as part of POD, localities confirm site-specific evaluation of perennial flow and adjust RPA boundaries.



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Mapping Chesapeake Bay Preservation Areas: RPA's and RMA's

- Step One: Localities provide map depicting “general” location of CBPA's.
- Step Two: Site specific determination of boundaries during site plan development.



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General CBPA Maps

- CBPA Maps intended to be general planning tool : not detailed RPA boundary maps
- Enlargement/addition of “general” CBPA map considered a “refinement” of boundaries not a zoning map amendment.
- Should not require approval of local government/CBLAB.



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Site-specific/Definitive Maps

- Site-specific CBPA maps – based on advanced surveys and accepted protocols.

Definitive maps would only depict upstream extent and not necessarily other RPA features



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General Maps: Administrative Process for Screening

- Need procedures to ensure that water bodies with perennial flow are identified and buffered.
- Screening procedure for properties w/o water features.
- CBPA maps are not intended to be “officially” updated for every CBPA modification.
- “Working map” should be accessible to public.



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Procedures for Designation and Refinement of CBPA Boundaries

- POD Review Process:
 - Localities required to ensure/confirm whether a water body conveys perennial flow and make necessary adjustments in RPA boundary.
 - Locality may conduct determination or require developers or their agents to do so—localities must verify.
 - Provisions of CBPA regulations apply to new RPAs/RMAs.



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Procedures for Designation and Refinement of CBPA Boundaries

- Plats & Site Plans: 9VAC 10-20-191.A.4&5
 - Localities required to delineate RPA/RMA boundaries on plats and site plans
 - Notation on plats requiring retention of an undisturbed and vegetated 100-ft buffer
 - Denote buildable area on each lot during the plan of development review process



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Procedures for Designation and Refinement of CBPA Boundaries

- Grandfathering previously platted or developed properties:
- Developed or platted land falling within newly-designated RPAs afforded administrative relief under 9VAC 10-20-130.4 and 9 VAC 10-20-150
- See Nonconforming Uses and Structure Guidance



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Screening Process

Are any of the following present on property or within 100 yards?

- River
- Stream
- Creek
- Pond
- Lake
- Ditch
- Concentrated flow
- Spring/GW discharge
- Wetlands



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Screening Process

- Local Government Information Sources:
 - Solid/dotted line on USGS map on property or within 500 feet?
 - NWI mapped wetlands on property or within 100 yards?
 - FEMA 100-year floodplain on property?
 - NRCS Soil Survey depict any streams or hydric soils on site or within 100 yards?



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